

RESOLUTION 9-B-07

A RESOLUTION GRANTING A SPECIAL USE PERMIT TO KROGER LIMITED PARTNERSHIP I, FOR A RETAIL SALES, LARGE FORMAT, USE IN THE GENERAL COMMERCIAL ZONING DISTRICT AT 1344 SOUTH MAIN STREET

WHEREAS, the applicant, Kroger Limited Partnership I, applied to this Council for a Special Use Permit for a Retail Sales, Large Format, use in the General Commercial zoning district, at 1344 South Main Street (Tax Parcel No. 287-(A)-38A); and

WHEREAS, this Council, after notice and public hearing thereon, has considered the application in light of its conformity with the Town's Comprehensive Plan; its harmony with the purposes and standards of the Zoning Ordinance; its compatibility with permitted and existing uses and purposes and conditions of the relevant zoning district; and its impact on the surrounding neighborhood.

NOW, THEREFORE, BE IT RESOLVED by the Council of the Town of Blacksburg:

1. That, based on the above considerations, the Council makes the following findings: (a) this request as submitted or modified does conform to the Town's Comprehensive Plan, or to specific elements of such plan and to official policies adopted pursuant thereto, including the purposes of the Zoning Ordinance, as set out in §1102 thereof; (b) this request shall not have an undue adverse impact on the surrounding neighborhood, in terms of public health, safety or general welfare; and (c) this request is in conformity with the applicable performance standards set forth in the Zoning Ordinance.
2. That, in accord with Zoning Ordinance § 3152(b), the Council hereby grants to the applicant, Kroger Limited Partnership I, a Special Use Permit for a Retail Sales, Large Format, use in the General Commercial Zoning District, at 1344 South Main Street, in substantial conformance with the application dated June 1, 2007, and revised July 30, 2007 subject to the following conditions.
 - A. The applicant shall prohibit exiting left turns from the rear Country Club Drive entrance by requiring right turn only improvements onto Country Club Drive.
 - B. The applicant shall not have attached signage along the rear and side facades of the proposed building addition.

- C. As required by Zoning Ordinance § 3154, the applicant shall provide one (1) cross access drive on the southern property line between the applicant's property (Tax Map Parcel No. 287-(A)-368A) and the adjacent property (Tax Map Parcel No. 287-(A)-36). The cross access drive shall be located approximately in the middle of the applicant's southern property line. The cross access drive shall be offset from the existing drive aisle in front of the applicant's main shopping center building.
- D. As part of the construction of the proposed building expansion, the applicant shall install a roof down spout system in substantial conformity with the *Proposed Conditions Exhibit* dated 7/30/07. If such a system is determined infeasible by the Zoning Administrator, a modification of the proposal shall be allowed; however the modification shall meet the intent of the planned low impact development feature.

Mayor

ATTEST:

Town Clerk

Date of Adoption: _____